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ATTORNEYS FOR PLAINTIFF  
K.D., A MINOR, BY AND THROUGH HIS  
GUARDIAN AD LITEM, LAQUANTAE DAVIS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

K.D., a minor, by and through his  
Guardian ad Litem, LAQUANTAE  
DAVIS,

Plaintiff,

v.

CALIBER CHANGEMAKERS  
ACADEMY, VALLEJO CITY UNIFIED  
SCHOOL DISTRICT, RACHAEL  
WEINGARTEN, AISHA FORD and  
DOES 1-50 inclusive,

Defendants.

Case No. 2:23-cv-00083-DJC-JDP

**STIPULATION AND AMENDED  
ORDER RE MOTION TO APPROVE  
SETTLEMENT**

**Hon. Daniel J. Calabretta  
Magistrate Jeremy D. Peterson**

The parties to the settlement in the above-entitled action hereby stipulate as follows regarding Plaintiff's motion to approve settlement:

1. On October 22, 2025 the Court granted Plaintiff's motion to approve via amended order (Dkt. No. 113);

2. Thereafter, the settlement brokers for the respective parties noticed errors relating to payment of the minor's annuity. Plaintiff inadvertently identified the trust as the payee instead of the assignment company.

1           3.       The correct Payee for the annuity should be Mutual of Omaha  
2 Structured Settlement Company, not the Trustee of the Legacy Enhancement  
3 Minor's Master Pooled Trust fbo K.D.;

4           4.       Additionally, there was an error in the periodic payment schedule. As  
5 set forth in the amended order, periodic payments will be made to the Trustee of the  
6 Legacy Enhancement Minor's Master Pooled Trust fbo K.D. until he reaches the age  
7 of majority. Thereafter, future periodic payments will be made to K.D. directly. There  
8 is no change to the periodic payment schedule or the amounts to be paid, only the  
9 recipients of the payments as stated above.

10          5.       The settlement brokers for the parties also requested the name of the  
11 assignment company be updated in the order to reflect the correct entity, from  
12 United of Omaha Life Insurance Company to Mutual of Omaha Structured  
13 Settlement Company;

14          6.       Therefore, the parties request the Court sign an amended order  
15 reflecting those changes;

16          7.       Without an amended order, the annuity cannot be purchased. The  
17 funds apportioned to the annuity (\$746,745.82) will not, and cannot be utilized until  
18 an amended order issues;

19          8.       This error does not in any way affect the establishment of the Trust  
20 itself or the cash portion of the settlement (\$753,254.18), addressed by this Court in  
21 its October 22, 2025 order (Dkt. 113);

22          9.       The parties appreciate the Court's time and attention to this matter and  
23 apologize for any inconvenience.

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1 Dated: November 4, 2025

WALKUP, MELODIA, KELLY & SCHOENBERGER

2  
3 By: /s/ Kelly L. Ganci

4 KHALDOUN A. BAGHDADI

5 VALERIE N. ROSE

6 KELLY L. GANCI

7 Attorneys for PLAINTIFF

8 K.D., A MINOR, BY AND THROUGH HIS

GUARDIAN AD LITEM, LAQUANTAE

DAVIS

9 Dated: November 4, 2025

YOUNG MINNEY & CORR LLP

10  
11 By: /s/ Mark S. Julius

12 MARK S. JULIUS

13 Attorneys for DEFENDANT CALIBER

14 CHANGEMAKERS ACADEMY

**AMENDED ORDER**

1  
2 1. Upon request of the parties and good cause appearing, the Court hereby  
3 amends its order of October 22, 2025 (Dkt. 113) as follows:

4 2. Page 2:14-3:6 of Dkt. 113 shall be stricken.

5 3. In addition to the remaining provisions of Dkt. 113, the Court orders  
6 that Defendant Caliber Changemakers shall issue a check in the amount of  
7 \$746,745.82 payable to Mutual of Omaha Structured Settlement Company to fund  
8 the purchase of a structured settlement annuity for the benefit of Plaintiff through  
9 an annuity policy issued by United of Omaha Life Insurance Company as further  
10 detailed below.

11 a. Periodic payments to Trustee of the Legacy Enhancement Minor's  
12 Master Pooled Trust fbo K.D. will be made according to the schedule of Payments as  
13 follows:

14 i. \$1,000 payable monthly guaranteed for 4 years beginning  
15 on February 1, 2026 with the last guaranteed payment on January 1, 2030;

16 b. Future periodic payments to K.D. on the dates and in the  
17 amounts indicated hereafter:

18 i. \$40,000 payable annually beginning on July 20, 2030, with  
19 the last guaranteed payment on July 20, 2033;

20 ii. \$1,500 payable monthly, guaranteed for 7 years beginning  
21 on July 20, 2030, increasing at a rate of 3% compounded annually with the last  
22 guaranteed payment on June 20, 2037;

23 iii. \$75,000 lump sum payment on July 20, 2035;

24 iv. \$125,000 lump sum payment on July 20, 2037;

25 v. \$150,000 lump sum payment on July 20, 2039;

26 i. \$655,739.35 lump sum payment on July 20, 2042;

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28 ///

1           4.       The Defendant's obligation to make the periodic payments described  
2 herein shall be assigned to Mutual of Omaha Structured Settlement Company  
3 through a Qualified Assignment and funded by an annuity contract issued by United  
4 of Omaha Life Insurance Company rated A+XV by A.M. Best.

5  
6  
7 Dated: November 6, 2025



THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE